

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

VB **FILED**
JUN 22 2004

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

UNITED STATES OF AMERICA,

Plaintiff,

V.

ERIC ROBERT RUDOLPH,

Defendant.

CR00-S-422-S

JOINT STIPULATION AND AGREEMENT BETWEEN THE UNITED STATES OF
AMERICA AND ERIC ROBERT RUDOLPH AND MOTION THAT THE JURY
PLAN FOR THE NORTHERN DISTRICT OF ALABAMA BE MODIFIED FOR THE
TRIAL OF THE ABOVE-STYLED CASE FOR GOOD CAUSE SHOWN AND IN
THE INTEREST OF JUSTICE

COMES NOW the United States of America and Eric Robert Rudolph, by and
through counsel of record, and hereby petition this Honorable Court to enter an order
stating that the trial in the above styled case be held at the Hugo Black Federal District
Courthouse located in Birmingham, Alabama, and that the pool of jurors be selected from
the entire eligible pool of qualified potential jurors of the entire Northern District of
Alabama, as grounds therefore states as follows:

1. After careful review and consideration the United States and Eric Rudolph
have reached an agreement in regard to the Eric Rudolph's pending Motion for Change
Of Venue.

2. By virtue of this stipulation and agreement Eric Rudolph agrees to withdraw
his pending Motion To Change Venue, and the United States and Mr. Rudolph waive at
trial and on appeal application of the current "Plan for Random Selection of Grand and
Petite Jurors" (hereinafter "Jury Selection Plan") adopted by the United States District

Court for the Northern District of Alabama on November 2, 2000, insofar as the "Jury Selection Plan" requires that the above-styled case would be tried before a venire from the Southern Division (Blount, Jefferson, and Shelby Counties) of the Northern District of Alabama. Neither party waives any other objection to application of the "Jury Selection Plan" or to other jury selection procedures.

3. Both Parties acknowledge their intent to avoid a protracted hearing that would only cause extensive additional pretrial publicity that could have a significant affect on potential jurors, as well as the jury selection process.

4. The United States Of America and Eric Rudolph hereby stipulate and agree that the "Plan for Random Selection of Grand and Petite Jurors" (hereinafter "Jury Selection Plan") adopted by the United States District Court for the Northern District of Alabama on November 2, 2000, should not apply in the above styled case, insofar as the "Jury Selection Plan" requires that the above-styled case would be tried before a venire from the Southern Division (Blount, Jefferson, and Shelby Counties) of the Northern District.

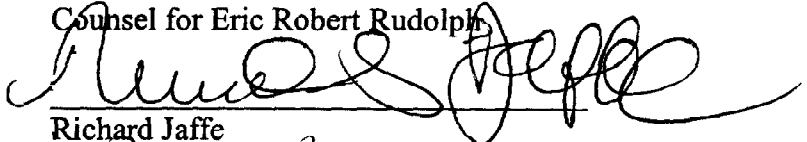
5. In the interest of justice, both the United States of America and Eric Robert Rudolph stipulate and agree that in the interests of justice the venire for the above-styled case be drawn from the entire Northern District of Alabama. This would be in accordance with the former jury selection plan in effect in the Northern District of Alabama until modified November 2, 2000. This is also in accordance with the manner in which the jury was selected in United States v. Holley, CR96-B-0208-NE, also a federal capital case.

Dated: June 21, 2004

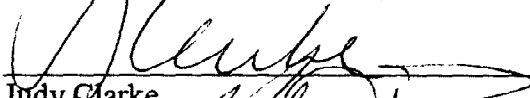
Respectfully Submitted,

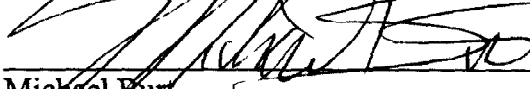

Eric Robert Rudolph

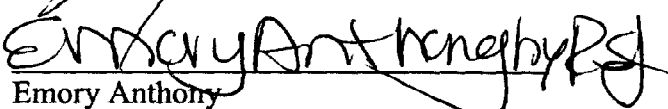
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Richard Jaffe


Bill Bowen


Judy Clarke



Michael Burt



Emory Anthony

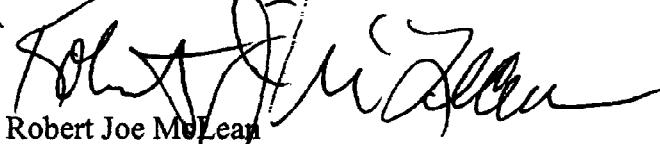
Counsel for the United States

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BY:


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Assistant United States Attorney


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Assistant United States Attorney